

SENATE BILL 2071

By Burks

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 7 and Title 68, relative to home health services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-7-102, is amended by adding the following language as a new, appropriately designated subdivision:

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(A) A company serving private individuals that does not receive government reimbursement shall obtain a waiver from the client, or the client's attorney in fact, to be able to perform the adult daily living requirements that are necessary to keep the client in the client's home, including medication assistance which includes giving any medications prescribed by a licensed physician or over-the-counter drug. A list of medications for which assistance is provided shall be kept in the client's file. In addition, a list of medications for which assistance is provided shall be kept in the client's home along with a log containing an entry for each time medication is given.

(B) Any agency performing the duties referred to in this subdivision shall:

(i) Be properly bonded and insured;

(ii) Maintain a drug free workplace pursuant to title 50, chapter 9;

and

(iii) Require background checks for any employee who assists a client in the client's home, including, but not limited to, a criminal history record check, and a check of the abuse registry, the sexual offender and

violent sexual offender registry, and the registry of persons convicted of methamphetamine offenses, and verification of compliance with any required licensure, certification or registration requirements. A copy of the results of all such background checks shall be kept in the file of the employee who is the subject of the check.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.